

REMARKS

The Office Action dated January 4, 2005 has been reviewed. Applicant respectfully thanks the Examiner for allowing claims 1-6 and 8-10. Applicant has amended claim 7. Claims 1-10 are pending.

Claim 7 is rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,285,805 to Proper. Applicant respectfully traverses the rejection under 35 U.S.C. § 102(b). Applicant has amended claim 7 to particularly point out and distinctly claim Applicant's invention. Claim 7 recites a valve including a body having a wall defining a passage, and an elastomeric actuator at least partially disposed in the passage. The elastomeric actuator includes a sealing surface between first and second ends. The sealing surface includes a first diameter at a first portion and a second diameter at a second portion, the second diameter being wider than the first diameter. Thus the invention provides, for example, that an elastomeric actuator includes a mechanical advantage. As described at paragraph 0021 and illustrated in Fig. 1 and Fig. 3 of Applicant's specification, a force F required to deform the elastomeric actuator 126 can be small due to the mechanical advantage of the elastomeric actuator 126. The diameter D_A of the first portion 150 being smaller than the diameter D_B of second portion 152 enables a reduction in the amount of elastomeric material required to be deformed by the force F , as compared to an elastomeric actuator having a constant diameter throughout the length of the sealing surface of the actuator.

In contrast, as described at col. 4, ll. 1-6, and illustrated in Figs. 1-2 of Proper, elastomer 2 is a cylindrical elastomer having a constant diameter throughout the length of the sealing surface of the elastomer 2. Applicant submits that Proper does not teach or suggest at least the features of an elastomeric actuator having a sealing surface that includes a first diameter at a first portion and a second diameter at a second portion, the second diameter being wider than the first diameter, as recited in claim 7. Accordingly, claim 7 is patentable.

Applicant respectfully requests that the rejection under 35 U.S.C. § 102(b), of claim 7, be withdrawn, and the claim allowed.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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